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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 LUTHER PETERSON, JR.,

11 Petitioner,

No. 2:11-cv-1168 KJN P

12 vs.

13 PEOPLE OF THE STATE OF
14 CALIFORNIA,

15 Respondent.

ORDER

16 _____ /
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18 Petitioner, a state prisoner proceeding without counsel, has filed an application for
19 a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma
pauperis.


20 The application attacks a conviction issued by the Superior Court of San
21 Francisco. While both this Court and the United States District Court in the district where
22 petitioner was convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S.
23 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner's
24 application are more readily available in San Francisco County. Id. at 499 n.15; 28 U.S.C.
25 § 2241(d).

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Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

1. This court has not ruled on petitioner's application to proceed in forma pauperis; and
2. This matter is transferred to the United States District Court for the Northern District of California.

DATED: May 9, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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